

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

RECEIVED

NOV 9 1995

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)	
)	CC Docket No. 94-1
Price Cap Performance Review)	
for Local Exchange Carriers)	DOCKET FILE COPY ORIGINAL
)	
Treatment of Operator Services)	CC Docket No. 93-124
Under Price Cap Regulation)	
)	
Revisions for Price Cap Rules for AT&T)	CC Docket No. 93-197 /

**BELL ATLANTIC ¹ RESPONSE TO AD HOC AND USTA
MOTIONS FOR EXTENSIONS OF TIME**

Ad Hoc ² asks the Commission to extend the dates on the comment cycle for the Commission's restructure of price cap and new service rules.³ Ad Hoc's principle argument is correct -- given the number and complexity of issues raised by the Commission, all parties are better served by additional time to respond.⁴ As recognized in the USTA motion however,⁵ Ad Hoc's additional arguments concerning the other principal price cap proceeding are wrong.

¹ The Bell Atlantic telephone companies ("Bell Atlantic") are Bell Atlantic-Delaware, Inc.; Bell Atlantic-Maryland, Inc.; Bell Atlantic-New Jersey, Inc.; Bell Atlantic-Pennsylvania, Inc.; Bell Atlantic-Virginia, Inc.; Bell Atlantic-Washington, D.C., Inc.; and Bell Atlantic-West Virginia, Inc.

² Ad Hoc Telecommunications Users Committee Motion for Extension of Time (filed October 31, 1995) ("Ad Hoc Motion").

³ Second Further Notice of Proposed Rulemaking in CC Docket No. 94-1, Further Notice of Proposed Rulemaking in CC Docket No. 93-124, and Second Further Notice of Proposed Rulemaking in CC Docket No. 93-197, FCC 95-393 (rel. Sept. 20, 1995) ("Reform NPRM").

⁴ Ad Hoc Motion at 2-3.

Contrary to Ad Hoc's suggestion, the same logic also applies to the Commission's consideration of the permanent rules for price cap financial calculations.⁶ Like the Reform NPRM, the Financial NPRM seeks detailed information concerning "complex and very important issues."⁷ Indeed, while the ultimate framework for calculating a rolling average total factor productivity offset can be made simple and selfworking, the issues leading to the establishment of that offset involve complex economic theory.⁸ Indeed, the Financial NPRM includes more than 250 separate questions or information requests.

Granting extensions in both proceedings also serves the interests of coordinating responses to the interrelated issues involved.⁹ A decision on price cap methodology is inextricably linked to what services remain in price caps and what rules those services will operate under. Moreover, specific issues, such as the question of multiple "X" factors, are directly raised in both proceedings.¹⁰

For the foregoing reasons, the Commission should grant a limited extension to the comment rounds of both the Financial and Reform price cap rulemakings.

⁵ Opposition to the Motion for Extension of Time of Ad Hoc Telecommunications Users Committee and Motion for Extension of Time of the United States Telephone Association (filed Nov. 8, 1995) ("USTA Motion").

⁶ Fourth Further Notice of Proposed Rulemaking, FCC 95-406 (rel. Sept. 27, 1995) ("Financial NPRM").


⁷ Ad Hoc Motion at 2.

⁸ See USTA Motion at 4.

⁹ The tandem postponement need not be as lengthy as suggested by Ad Hoc. USTA calls for as little as three weeks, although the Commission may wish to defer the initial comment rounds longer to avoid future requests for additional delay.

¹⁰ Reform NPRM at ¶¶ 159-62; Financial NPRM at ¶¶ 108-11.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Edward Shakin", is written over a horizontal line.

Edward Shakin

Edward D. Young, III
Michael E. Glover
Of Counsel

1320 North Court House Road
Eighth Floor
Arlington, VA 22201
(703) 974-4864

Attorney for the
Bell Atlantic Telephone Companies

November 9, 1995

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Bell Atlantic Response to Ad Hoc and USTA Motions" was served this 9th day of November, 1995 by first class mail, postage prepaid, on the parties on the attached list.


Jaynemie Lentlie

Tariff Division *
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W. Room 518
Washington, D.C. 20554

Geraldine Matise
Chief, Tariff Division *
Federal Communications Commission
1919 M Street, N.W. Room 518
Washington, D.C. 20554

ITS, Inc. *
1919 M Street, N.W.
Room 246
Washington, D.C. 20554

* BY HAND

Edward R. Wholl
Campbell L. Ayling
Edward E. Niehoff
NYNEX Telephone Companies
120 Bloomingdale Road
White Plains, N.Y. 10605

Robert M. Lynch
Richard C. Hartgrove
Thomas A. Pajda
Southwestern Bell Telephone Co.
One Bell Center
Room 3520
St. Louis, MO 63101

James P. Tuthill
John W. Bogy
Pacific Bell & Nevada Bell
140 New Montgomery Street
Room 1530-A
San Francisco, CA 94105

James L. Wurtz
Pacific Bell & Nevada Bell
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Michael S. Pabian
Ameritech
2000 West Ameritech Center Drive
Room 4H76
Hoffman Estates, IL 60196-1025

Gary M. Espstein
James H. Barker
Latham & Watkins
Counsel for BellSouth
Suite 1300
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2505

M. Robert Sutherland
Richard M. Sbaratta
BellSouth Telecommunications, Inc.
4300 Southern Bell Center
675 West Peachtree Street, N.E.
Atlanta, GA 30375

James T. Hannon
Sharon L. Naylor
U S West Communications, Inc.
Suite 700
1020 19th Street, N.W.
Washington, D.C. 20036

Mary McDermott
Vice President and General Counsel
USTA
1401 H Street, N.W.
Suite 600
Washington, D.C. 20005

Lawrence P. Keller
Cathey, Hutton & Associates
3300 Holcomb Bridge Road
Suite 286
Norcross, GA 30092

David Cosson
NTCA
2626 Pennsylvania Avenue, N.W.
Washington, D.C. 20037

Michael J. Shortley, III
Rochester Telephone Corp.
180 South Clinton Avenue
Rochester, N.Y. 14646

Thomas E. Taylor
Christopher J. Wilson
Frost & Jacobs
Counsel for Cincinnati Bell
2500 PNC Center
201 East Fifth Street
Cincinnati, OH 45202

Margot Smiley Humphrey
Koteen & Naftalin
Counsel for National Rural
Telecom Association
1150 Connecticut Avenue, N.W.
Suite 1000
Washington, D.C. 20036

Robert A. Mazer
Nixon, Hargrave, Devans & Doyle
Counsel for Lincoln Telephone
One Thomas Circle, N.W.
Suite 800
Washington, D.C. 20005

Lisa M. Zaina
OPASTCO
21 Dupont Circle, N.W.
Suite 700
Washington, D.C. 20036

Richard McKenna, HQE03J36
GTE Service Corporation
P.O. Box 152092
Irving, TX 75015-2092

Gail L. Polivy
GTE Service Corporation
1850 M Street, N.W.
Suite 1200
Washington, D.C. 20036

David C. Bergmann
Yvonne T. Ranft
Office of the Consumers' Counsel
State of Ohio
77 South High Street / 15th Floor
Columbus, OH 43266-0550

Philip F. McClelland
Office of Consumer Advocat
Commonwealth of Pennsylvania
1425 Strawberry Square
Harrisburg, PA 17120

Tenley A. Carp
Office of the General Counsel
General Services Administration
18th & F Streets, N.W.
Room 4002
Washington, D.C. 20405

Brian R. Moir
Moir & Hardman
Counsel for International
Communications Association
2000 L Street, N.W.
Suite 512
Washington, D.C. 20036

Henry M. Rivera
Ginsburg, Feldman and Bress
Counsel for Council of Chief
State School Officers, et al.
1250 Connecticut Avenue, N.W.
Washington, D.C. 20036

James Gattuso
Beverly McKittrick
Citizens for a Sound
Economy Foundation
1250 H Street, N.W.
Washington, D.C. 20005

Dr. Jerome R. Ellig
Center for Market Processess
4084 University Drive, Suite 208
Fairfax, VA 22030

Carol C. Henderson
Executive Director
American Library Association
110 Maryland Avenue, N.E.
Washington, D.C. 20002-5675

Allan J. Arlow
President & CEO
Computer & Communications
Industry Association
666 11th Street, N.W.
Washington, D.C. 20001

Charles A. Zielinski
Rogers & Wells
Counsel for CCIA
607 14th Street, N.W.
Washington, D.C. 20005

John C. Smith
General Counsel
Aeronautical Radio, Inc.
2551 Riva Road
Annapolis, MD 21401

Jonathan E. Canis
Swidler & Berlin
Counsel for Intermedia
Communications of America
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007

Andrew D. Lipman
Russell M. Blau
Swidler & Berlin
Counsel for MFS Communications
3000 K Street, N.W.
Washington, D.C. 20007

R. Michael Senkowski
Jeffrey S. Linder
Ilene T. Weinreich
Wiley, Rein & Fielding
Counsel for Tele-Communications
Association
1776 K Street, N.W.
Washington, D.C. 20006

Mark C. Rosenblum
Robert J. McKee
Peter H. Jacoby
Albert M. Lewis
AT&T
Room 2255F2
295 North Maple Avenue
Basking Ridge, N.J. 07920

Marc E. Manly
AT&T
1722 Eye Street, N.W.
Washington, D.C. 20006

Elizabeth Dickerson
Manager, Federal Regulatory
MCI Telecommunications Corp.
1801 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

Jay C. Keithley
Leon M. Kestenbaum
H. Richard Juhnke
Norina T. Moy
Sprint Corporation
1850 M Street, N.W. 11th Floor
Washington, D.C. 20036

W. Richard Morris
Sprint Corporation
P.O. Box 11315
Kansas City, MO 64112

Paul B. Jones
Janis A. Stahlhut
Time Warner Communications
300 First Stamford Place
Stamford, CA 06902-6732

David R. Poe
Cherie R. Kiser
LeBoeuf, Lamb, Greene & MacRae
Counsel for Time Warner
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009-5728

J. Manning Lee
Teleport Communications Group
One Teleport Drive
Staten Island, N.Y. 10311

Genevieve Morelli
CompTel Association
1140 Connecticut Avenue, N.W.
Suite 220
Washington, D.C. 20036

Danny E. Adams
Jeffrey S. Linder
Wiley, Rein & Fielding
Counsel for CompTel Assoc.
1776 K Street, N.W.
Washington, D.C. 20006

James S. Blaszak
Francis E. Fletcher, Jr.
Gardner, Carton & Douglas
Counsel for Ad Hoc Telecommuni-
cations Users Committee
1301 K Street, N.W.
Suite 900 - East Tower
Washington, D.C. 20005

Dr. Lee L. Selwyn
Economics and Technology, Inc.
One Washington Mall
Boston, MA 02018

Peter A. Rohrbach
Linda L. Oliver
Hogan & Hartson
Counsel for WilTel, Inc.
Columbia Square
555 13th Street, N.W.
Washington, D.C. 20004-1109

Joseph Miller
WilTel, Inc.
P.O. Box 21348
Tulsa, OK 74121

Heather Burnett Gold
ALTS
1200 19th Street, N.W.
Suite 607
Washington, D.C. 20036

W. Theodore Pierson, Jr.
Richard J. Metzger
Douglas J. Minster
Pierson & Tuttle
Counsel for ALTS
1200 19th Street, N.W.
Suite 607
Washington, D.C. 20036

Wayne V. Black
C. Douglas Jarrett
Keller & Heckman
1001 G Street, N.W.
Suite 500 West
Washington, D.C. 20001

Brian D. Thomas
Assistant Vice President
Pacific Telecom, Inc.
805 Broadway
Vancouver, WA 98668

Michael J. Shortley, III
Rochester Telephone Corp.
180 South Clinton Avenue
Rochester, N.Y. 14646

Janice Obuchowski
Halprin, Temple & Goodman
1100 New York Avenue, N.W.
Suite 650 East
Washington, D.C. 20005

Werner K. Hartenberger
Laura H. Phillips
Dow, Lohnes & Albertson
1255 Twenty-third Street, N.W.
Suite 500
Washington, D.C. 20037

Leonard J. Kennedy
Steven F. Morris
Dow, Lohnes & Albertson
1255 Twenty-third Street, N.W.
Suite 500
Washington, D.C. 20037

Herbert E. Marks
Jody Daniel Newman
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Aliceann Wohlbruck
National Association of
Development Organizations
444 North Capitol Street, N.W.
Suite 630
Washington, D.C. 20001

Stephen L. Goodman
William F. Maher, Jr.
Halprin, Temple & Goodman
1100 New York Avenue, N.W.
Suite 600 East
Washington, D.C. 20005